

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION**

ETHEL ANTONIO PAGE

PETITIONER

V.

CAUSE NO. 3:15-CV-597-CWR-FKB

WARDEN NORRIS HOGANS

DEFENDANT

ORDER ADOPTING REPORT AND RECOMMENDATION

This matter is before the Court pursuant to the Report and Recommendation of United States Magistrate Judge F. Keith Ball entered on July 31, 2018. Docket No. 28. The Report clearly notified the respective parties in the above-styled and numbered cause that failure to file written objections to the findings and recommendations contained therein within 14 days from the date of filing would bar further appeal in accordance with 28 U.S.C. § 636 and Fed. R. Civ. P. 72(b)(2). This Court, finding that there has been no submission of written objections by any party within the allotted time, hereby adopts said Report and Recommendation as the Order of this Court.

Next Friend of Petitioner, Annie L. Hicks, has also filed a motion for an unspecified extension of time to exhaust post-conviction relief in state court. The Court believes the 58 days that have passed since the entry of the Report, along with the 45 days allotted after the entry of this Order, will be sufficient time for Petitioner or Ms. Hicks to obtain counsel. Accordingly, the motion for an extension of time is denied.

Petitioner shall file a motion pursuant to Rule 4 of the Mississippi Rules of Appellate Procedure before the Circuit Court of Lauderdale County within 45 days of entry of this Order. Petitioner should file a motion to dissolve this stay and proceed with this case within 45 days of the final resolution of his post-conviction claims by the Mississippi state courts. The Clerk of the Court shall administratively close this case until Petitioner exhausts state remedies.

SO ORDERED, this the 27th day of September, 2018.

/s/ Carlton W. Reeves
UNITED STATES DISTRICT JUDGE